

Doc ID Beg :

ED\_001138\_0000  
0001

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Battle, Jernell[Battle.Jernell@epa.gov]  
**From:** foia@erulemaking.net  
**Sent:** Wed 6/1/2016 2:51:28 PM  
**Subject:** FOIA Assignment for EPA-HQ-2016-004368

You have been assigned to the FOIA request EPA-HQ-2016-004368. Additional details for this request are as follows:

- Assigned By: Jernell Battle
- Request Tracking Number: EPA-HQ-2016-004368
- Due Date: 05/31/2016
- Requester: David Lunde
- Request Track: Simple
- Short Description: N/A
- Long Description: I would like to receive the data/information for the Central Boiler model applications submitted to the US EPA for approval into the Hydronic Heater List <https://www.epa.gov/sites/production/files/2015-08/documents/hhcertifiedwood.pdf> The list was created to show devices that meet the 2015 New Source Performance Standards (NSPS) I am looking to do a mathematical/engineering check on the Central Boiler Edge and Central Boiler E-Classic models. Maker Model Name Model # Central Boiler E-Classic 1450 Central Boiler E-Classic 3250 IR Central Boiler Classic Edge 350 Central Boiler Classic Edge 550 Central Boiler Classic Edge 750 Ideally, I want to see all the test data for engineering calculations, which includes all: temperatures, flow rates, emissions data, and efficiency data to do an engineering review. Please call me with any questions. I would prefer the information electronically (via e-mail). I know that all of this information is readily accessible because the EPA requires electronic submission of this information as part of the application to be an approved Hydronic Wood Heater.

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Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Battle, Jernell[Battle.Jernell@epa.gov]  
**From:** foia@erulemaking.net  
**Sent:** Thur 4/28/2016 10:20:57 PM  
**Subject:** FOIA Assignment for EPA-HQ-2016-004368

You have been assigned to the FOIA request EPA-HQ-2016-004368. Additional details for this request are as follows:

- Assigned By: Maya Newman
- Request Tracking Number: EPA-HQ-2016-004368
- Due Date: 05/31/2016
- Requester: David Lunde
- Request Track: Simple
- Short Description: N/A
- Long Description: I would like to receive the data/information for the Central Boiler model applications submitted to the US EPA for approval into the Hydronic Heater List <https://www.epa.gov/sites/production/files/2015-08/documents/hhcertifiedwood.pdf> The list was created to show devices that meet the 2015 New Source Performance Standards (NSPS) I am looking to do a mathematical/engineering check on the Central Boiler Edge and Central Boiler E-Classic models. Maker Model Name Model # Central Boiler E-Classic 1450 Central Boiler E-Classic 3250 IR Central Boiler Classic Edge 350 Central Boiler Classic Edge 550 Central Boiler Classic Edge 750 Ideally, I want to see all the test data for engineering calculations, which includes all: temperatures, flow rates, emissions data, and efficiency data to do an engineering review. Please call me with any questions. I would prefer the information electronically (via e-mail). I know that all of this information is readily accessible because the EPA requires electronic submission of this information as part of the application to be an approved Hydronic Wood Heater.

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Full

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Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**From:** Baumgart-Getz, Adam  
**Sent:** Tue 12/13/2016 8:47:56 PM  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

Yup, this'll be interesting!

Regards,

Adam

**From:** Sanchez, Rafael  
**Sent:** Tuesday, December 13, 2016 3:40 PM  
**To:** Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

Group effort.

Let's see what's going to happen. Suspense!

**From:** Baumgart-Getz, Adam  
**Sent:** Tuesday, December 13, 2016 3:35 PM  
**To:** Sanchez, Rafael <[Sanchez.Rafael@epa.gov](mailto:Sanchez.Rafael@epa.gov)>  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

And thank you for getting this out!

Regards,

Adam

**From:** Sanchez, Rafael

**Sent:** Tuesday, December 13, 2016 3:30 PM

**To:** Dennis Brazier <[dennisb@centralboiler.com](mailto:dennisb@centralboiler.com)>

**Cc:** Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>; Baumgart-Getz, Adam <[Baumgart-Getz.Adam@epa.gov](mailto:Baumgart-Getz.Adam@epa.gov)>; Jordan, Scott <[Jordan.Scott@epa.gov](mailto:Jordan.Scott@epa.gov)>; Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>; Kaminer, Joan <[Kaminer.Joan@epa.gov](mailto:Kaminer.Joan@epa.gov)>

**Subject:** US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

**Importance:** High

Mr. Brazier,

Please find attached a U.S. Environmental Protection Agency (EPA) determination regarding the Central Boiler Classic Edge 750 model. Hard copy will be mailed via US Postal Service Certified Mail. If you have questions, please contact me at 202-564-7028.

**Rafael Sanchez, Ph.D.**

**Wood Heater Program Lead**

**Air Branch**

**Monitoring, Assistance, and Media Programs Division**

Office of Compliance

U.S. Environmental Protection Agency (EPA)

Room 7149-D

1200 Pennsylvania Ave., NW

MS:2227A

Washington, DC 20460

202-564-7028

202-564-0050 fax

Please make a note of the new inbox for wood heater certification requests:  
[WoodHeaterReports@epa.gov](mailto:WoodHeaterReports@epa.gov)

If you have a wood heater question, please visit the USEPA Wood Heater Compliance Monitoring Program website at <http://www2.epa.gov/compliance/wood-heater-compliance-monitoring-program>. On that web page, you will find information about the EPA wood heater compliance program including the List of EPA Certified Wood Heaters.

This message may contain sensitive and/or privileged information. If you believe you have received this e-mail in error, please notify me and delete the e-mail immediately.

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Full

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Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**Cc:** Aldridge, Amanda[Aldridge.Amanda@epa.gov]; Cole, David[Cole.David@epa.gov]  
**From:** Baumgart-Getz, Adam  
**Sent:** Tue 12/13/2016 8:40:09 PM  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

Thanks!

Regards,

Adam

**From:** Sanchez, Rafael  
**Sent:** Tuesday, December 13, 2016 3:39 PM  
**To:** Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>  
**Cc:** Aldridge, Amanda <Aldridge.Amanda@epa.gov>; Cole, David <Cole.David@epa.gov>  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

Adam,

No. This letter is not yet public domain until we hear from CB or the tenth day has come by and no response.

**From:** Baumgart-Getz, Adam  
**Sent:** Tuesday, December 13, 2016 3:34 PM  
**To:** Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Cc:** Aldridge, Amanda <Aldridge.Amanda@epa.gov>; Cole, David <Cole.David@epa.gov>  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

Rafael-

Is this letter public information? If so, our external stakeholders will be interested in this information.

Regards,

Adam

**From:** Sanchez, Rafael

**Sent:** Tuesday, December 13, 2016 3:30 PM

**To:** Dennis Brazier <[dennisb@centralboiler.com](mailto:dennisb@centralboiler.com)>

**Cc:** Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>; Baumgart-Getz, Adam <[Baumgart-Getz.Adam@epa.gov](mailto:Baumgart-Getz.Adam@epa.gov)>; Jordan, Scott <[Jordan.Scott@epa.gov](mailto:Jordan.Scott@epa.gov)>; Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>; Kaminer, Joan <[Kaminer.Joan@epa.gov](mailto:Kaminer.Joan@epa.gov)>

**Subject:** US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

**Importance:** High

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**Rafael Sanchez, Ph.D.**

**Wood Heater Program Lead**

**Air Branch**

**Monitoring, Assistance, and Media Programs Division**

**Office of Compliance**

**U.S. Environmental Protection Agency (EPA)**

**Room 7149-D**

**1200 Pennsylvania Ave., NW**

**MS:2227A**

**Washington, DC 20460**

**202-564-7028**

**202-564-0050 fax**

**Please make a note of the new inbox for wood heater certification requests:**

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Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**From:** Baumgart-Getz, Adam  
**Sent:** Tue 12/13/2016 8:34:35 PM  
**Subject:** RE: US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model

And thank you for getting this out!

Regards,

Adam

**From:** Sanchez, Rafael  
**Sent:** Tuesday, December 13, 2016 3:30 PM  
**To:** Dennis Brazier <dennisb@centralboiler.com>  
**Cc:** Aldridge, Amanda <Aldridge.Amanda@epa.gov>; Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>; Jordan, Scott <Jordan.Scott@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Kaminer, Joan <Kaminer.Joan@epa.gov>  
**Subject:** US EPA Determination regarding certain records associated with the Central Boiler Classic Edge 750 model  
**Importance:** High

Mr. Brazier,

Please find attached a U.S. Environmental Protection Agency (EPA) determination regarding the Central Boiler Classic Edge 750 model. Hard copy will be mailed via US Postal Service Certified Mail. If you have questions, please contact me at 202-564-7028.

**Rafael Sanchez, Ph.D.**

**Wood Heater Program Lead**

**Air Branch**

**Monitoring, Assistance, and Media Programs Division**

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**U.S. Environmental Protection Agency (EPA)**

**Room 7149-D**

**1200 Pennsylvania Ave., NW**

**MS:2227A**

**Washington, DC 20460**

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Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**Cc:** Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Kaminer, Joan[Kaminer.Joan@epa.gov]; Jordan, Scott[Jordan.Scott@epa.gov]  
**From:** Wilcox, Geoffrey  
**Sent:** Wed 11/23/2016 6:46:57 PM  
**Subject:** FW: CB not entitled letter 11 2 16 RS edits JGK 11816 RS 11.22.docx  
CB not entitled letter 11 2 16 RS edits JGK 11816 RS 11.22.docx

PRIVILEGED COMMUNICATION

R:

Per our discussion, I agree with the position on emissions data you all have taken in this letter.

I think the letter is well drafted and clear on this point, so I do not have any specific comments for you.

Let me know if there are further developments.

Thank you for including us in the loop on this matter.

G

**From:** Sanchez, Rafael  
**Sent:** Tuesday, November 22, 2016 2:14 PM  
**To:** Wilcox, Geoffrey <wilcox.geoffrey@epa.gov>  
**Subject:** CB not entitled letter 11 2 16 RS edits JGK 11816 RS 11.22.docx

Here is the latest draft. Thanks.

ED\_001138\_0000011

Doc ID Beg :

ED\_001138\_0000  
0013

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**From:** Kaminer, Joan  
**Sent:** Tue 11/8/2016 4:22:32 PM  
**Subject:** CNE Letter OGC Edits  
CB not entitled letter 11 2 16 RS edits JGK 11816.docx

Attached.

Thank you,

Joan G. Kaminer

Attorney-Advisor

EPA/OGC/GLO/ILPG

202-564-0334

Kaminer.joan@epa.gov

Doc ID Beg :

ED\_001138\_0000  
0031

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**From:** Yang, Jonathan  
**Sent:** Wed 6/1/2016 6:05:07 PM  
**Subject:** David Lunde FOIA Denial Letter  
DavidLunde.FULLDENIAL.2016.6.1.doc

Dear Rafael:

Please find attached the letter responding to David Lunde's FOIA request.

I checked the FOIA office information online against the information in the letter; there was a difference in the provided number on the FOIA office information online (202) 566-1667 versus the one in the letter (202) 566-2147. There was also a difference in the room numbers for hand delivery, which I have also changed.

Please let me know what other information needs to be checked.

Thanks,

Jonathan Yang

Summer Law Clerk Intern

Doc ID Beg :

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0033

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**From:** Yang, Jonathan  
**Sent:** Tue 5/31/2016 6:31:14 PM  
**Subject:** FOIA Request Response - David Lunde  
DavidLunde.PartialDenial.Draft.2016.5.31-JY.doc

Dear Rafael:

Please find attached the draft of the partial denial of David Lunde's FOIA request. I have highlighted areas that need to be confirmed or require additional information to complete. Please let me know what changes I need to make to the draft.

Thanks,

Jonathan Yang

EPA Summer Law Clerk 2016

Doc ID Beg :

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0035

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**Cc:** Aldridge, Amanda[Aldridge.Amanda@epa.gov]; Baumgart-Getz, Adam[Baumgart-Getz.Adam@epa.gov]; Bartlett, Keith[Bartlett.Keith@epa.gov]; Kaminer, Joan[Kaminer.Joan@epa.gov]; Toney, Mike[Toney.Mike@epa.gov]; Janie Brandon[janie@centralboiler.com]; Mark Reese[markr@centralboiler.com]  
**From:** Dennis Brazier  
**Sent:** Fri 5/27/2016 4:50:25 PM  
**Subject:** Classic Edge 750 Non-CBI Report  
NON\_CBI\_WEB\_Classic\_Edge\_750.pdf

Hello Rafael,

In response to your request to post the full Non-CBI report for the Edge 750, I would like to reference the email sent to you on March 24<sup>th</sup> by Mark Reese. In that email you were sent what we consider a full Non-CBI report that we feel is sufficient to meet the requirements of the NSPS. Also in that email we were in the process of organizing a conference call to discuss the matter with your office and others. The conference call didn't come about so at this time we have posted our 122 page Non-CBI report on our website under "Test Reports" found on our SITEMAP (file attached).

To reiterate, there are many items in the **Edge 750 CBI** labeled report as well as the incorrectly labeled **Non-CBI** report that are **Confidential Business Information** and that those reports sent to you by OMNI be treated as such and should not be shared with others.

Sincerely,

Dennis Brazier

**Dennis Brazier**

CEO

**Central Boiler, Inc.** / 20502 160<sup>th</sup> Street / Greenbush, MN 56726 / Ph: 218-782-2575 / Fax: 218-782-

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2580 / CentralBoiler.com

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Comments :

**To:** Aldridge, Amanda[Aldridge.Amanda@epa.gov]; Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**Cc:** Baumgart-Getz, Adam[Baumgart-Getz.Adam@epa.gov]; Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Bartlett, Keith[Bartlett.Keith@epa.gov]  
**From:** Blatcher, Tonya  
**Sent:** Thur 5/5/2016 8:29:29 PM  
**Subject:** RE: FW: FOIA request for Central Edge (3rd and last email.)

Rafael,

The CB 3250IR was very large, so I put it on the SharePoint below.

[https://usepa.sharepoint.com/sites/OAR\\_Custom/OAQPS-OECA](https://usepa.sharepoint.com/sites/OAR_Custom/OAQPS-OECA)

## Tonya Blatcher

Administrative Specialist

U.S Environmental Protection Agency

Outreach and Information Division

Innovative Programs and Outreach Group

109 TW Alexander Dr.

Durham, NC 27711

(919) 541-1929

[blatcher.tonya@epa.gov](mailto:blatcher.tonya@epa.gov)

**From:** Aldridge, Amanda  
**Sent:** Thursday, May 05, 2016 4:08 PM  
**To:** Blatcher, Tonya <Blatcher.Tonya@epa.gov>; Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Cc:** Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>; Lischinsky, Robert

<Lischinsky.Robert@epa.gov>; Bartlett, Keith <Bartlett.Keith@epa.gov>  
**Subject:** FW: FW: FOIA request for Central Edge

Rafael – My admin, Tonya, is going to send you the non-CBI Central Boiler test reports that have been requested in the email below by David Lunde.

She is going to zip them to you and Keith. Let us know if this doesn't work and we will copy the CDs and mail them to you.

Thanks,

Amanda Aldridge  
US EPA Burnwise  
[aldridge.amanda@epa.gov](mailto:aldridge.amanda@epa.gov)

Phone: 919.541-5268

Join us on Facebook: <https://www.facebook.com/EPABurnWise>

[@epaburnwise](https://twitter.com/epaburnwise) on Twitter: <https://twitter.com/epaburnwise>

**From:** David Lunde [<mailto:lunde189@gmail.com>]  
**Sent:** Tuesday, March 01, 2016 1:27 PM  
**To:** Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>  
**Subject:** Re: FW: FOIL request for Central Edge

Hi Amanda, I would like to receive the information not labeled as CBI when the applications for the Central Boiler models were submitted.

I am looking to do a mathematical/engineering check on the Central Boiler Edge and Central Boiler E-Classic models.

Maker	Model Name	Model #
Central Boiler	E-Classic	1450
Central Boiler	E-Classic	3250 IR
Central Boiler	Classic Edge	350
Central Boiler	Classic Edge	550
Central Boiler	Classic Edge	750

Ideally, I want to see their test data for emissions, temperatures, flow rates, and efficiency to do an engineering review.

On Tue, Mar 1, 2016 at 12:17 PM, Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)> wrote:

Hi David – Please send me the models that you are interested in and what kind of information you are looking for. An official FOIA request cannot be done easily and it takes a lot of time. It can also cost money – they have a charge per number of copies made.

If you just want some info that I might have easily in hand and I can send by email, I'll be glad to do it, because it will save us both time. The other way it gets put into our correspondence management system . . . .

Amanda Aldridge  
US EPA Burnwise  
[aldridge.amanda@epa.gov](mailto:aldridge.amanda@epa.gov)

Phone: [919.541-5268](tel:919.541-5268)

Join us on Facebook: <https://www.facebook.com/EPABurnWise>

[@epaburnwise](https://twitter.com/epaburnwise) on Twitter: <https://twitter.com/epaburnwise>

**From:** Toney, Mike  
**Sent:** Wednesday, February 24, 2016 7:30 AM  
**To:** [david@garn.com](mailto:david@garn.com)  
**Cc:** Johnson, Steffan <[johnson.steffan@epa.gov](mailto:johnson.steffan@epa.gov)>; Baumgart-Getz, Adam <[ED\\_001138\\_00000039](mailto:Baumgart-</a></p></div><div data-bbox=)

[Getz.Adam@epa.gov](mailto:Getz.Adam@epa.gov); Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>; Cole, David <[Cole.David@epa.gov](mailto:Cole.David@epa.gov)>

**Subject:** RE: FOIL request for Central Edge

Hi Mr. Garn,

I received your phone message this morning and email regarding a freedom of information request (FOIA). You sent these after I had gone for the day yesterday. I am not the person who handles FOIA for the wood stove list. I copied Adam Baumgart-Getz regarding this issue. He should be able to help you. Thank you for your call.

**From:** David Lunde [<mailto:david@garn.com>]

**Sent:** Tuesday, February 23, 2016 3:52 PM

**To:** Toney, Mike <[Toney.Mike@epa.gov](mailto:Toney.Mike@epa.gov)>

**Subject:** FOIL request for Central Edge

Mike,

I want to make an official FOIL request to see the test results for all of the Central Boiler Edge models as well as all Centraoil E-Classic models.

In addition, there are still many errors on this list, and they need to be corrected. Call me at your earliest convenience:

<http://www.epa.gov/sites/production/files/2015-08/documents/hhcertifiedwood.pdf>

David Lunde

[david@garn.com](mailto:david@garn.com)

Office: 612.326.1102

Mobile: 612.968.2936

www.garn.com

Doc ID Beg :

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**To:** Aldridge, Amanda[Aldridge.Amanda@epa.gov]; Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**Cc:** Baumgart-Getz, Adam[Baumgart-Getz.Adam@epa.gov]; Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Bartlett, Keith[Bartlett.Keith@epa.gov]  
**From:** Blatcher, Tonya  
**Sent:** Thur 5/5/2016 8:24:22 PM  
**Subject:** RE: FW: FOIA request for Central Edge (2nd email)  
[350.zip](#)

Rafael,

Here is CB 350.

## Tonya Blatcher

Administrative Specialist

U.S Environmental Protection Agency

Outreach and Information Division

Innovative Programs and Outreach Group

109 TW Alexander Dr.

Durham, NC 27711

(919) 541-1929

[blatcher.tonya@epa.gov](mailto:blatcher.tonya@epa.gov)

**From:** Aldridge, Amanda  
**Sent:** Thursday, May 05, 2016 4:08 PM  
**To:** Blatcher, Tonya <Blatcher.Tonya@epa.gov>; Sanchez, Rafael <Sanchez.Rafael@epa.gov>

**Cc:** Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Bartlett, Keith <Bartlett.Keith@epa.gov>  
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Phone: 919.541-5268

Join us on Facebook: <https://www.facebook.com/EPABurnWise>

[@epaburnwise](https://twitter.com/epaburnwise) on Twitter: <https://twitter.com/epaburnwise>

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**Sent:** Tuesday, March 01, 2016 1:27 PM  
**To:** Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>  
**Subject:** Re: FW: FOIL request for Central Edge

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Central Boiler	Classic Edge	750

Ideally, I want to see their test data for emissions, temperatures, flow rates, and efficiency to do an engineering review.

On Tue, Mar 1, 2016 at 12:17 PM, Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)> wrote:

Hi David – Please send me the models that you are interested in and what kind of information you are looking for. An official FOIA request cannot be done easily and it takes a lot of time. It can also cost money – they have a charge per number of copies made.

If you just want some info that I might have easily in hand and I can send by email, I'll be glad to do it, because it will save us both time. The other way it gets put into our correspondence management system . . . .

Amanda Aldridge  
US EPA Burnwise  
[aldridge.amanda@epa.gov](mailto:aldridge.amanda@epa.gov)

Phone: [919.541-5268](tel:919.541-5268)

Join us on Facebook: <https://www.facebook.com/EPABurnWise>

[@epaburnwise](https://twitter.com/epaburnwise) on Twitter: <https://twitter.com/epaburnwise>

**From:** Toney, Mike  
**Sent:** Wednesday, February 24, 2016 7:30 AM  
**To:** [david@garn.com](mailto:david@garn.com)

**Cc:** Johnson, Steffan <[johnson.steffan@epa.gov](mailto:johnson.steffan@epa.gov)>; Baumgart-Getz, Adam <[Baumgart-Getz.Adam@epa.gov](mailto:Baumgart-Getz.Adam@epa.gov)>; Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>; Cole, David <[Cole.David@epa.gov](mailto:Cole.David@epa.gov)>  
**Subject:** RE: FOIL request for Central Edge

Hi Mr. Garn,

I received your phone message this morning and email regarding a freedom of information request (FOIA). You sent these after I had gone for the day yesterday. I am not the person who handles FOIA for the wood stove list. I copied Adam Baumgart-Getz regarding this issue. He should be able to help you. Thank you for your call.

**From:** David Lunde [<mailto:david@garn.com>]  
**Sent:** Tuesday, February 23, 2016 3:52 PM  
**To:** Toney, Mike <[Toney.Mike@epa.gov](mailto:Toney.Mike@epa.gov)>  
**Subject:** FOIL request for Central Edge

Mike,

I want to make an official FOIL request to see the test results for all of the Central Boiler Edge models as well as all Centraoil E-Classic models.

In addition, there are still many errors on this list, and they need to be corrected. Call me at your earliest convenience:

<http://www.epa.gov/sites/production/files/2015-08/documents/hhcetifiedwood.pdf>

David Lunde

[david@garn.com](mailto:david@garn.com)

Office: 612.326.1102

Mobile: 612.968.2936

[www.garn.com](http://www.garn.com)

Doc ID Beg :

ED\_001138\_0000  
0048

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Aldridge, Amanda[Aldridge.Amanda@epa.gov]; Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**Cc:** Baumgart-Getz, Adam[Baumgart-Getz.Adam@epa.gov]; Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Bartlett, Keith[Bartlett.Keith@epa.gov]  
**From:** Blatcher, Tonya  
**Sent:** Thur 5/5/2016 8:22:31 PM  
**Subject:** RE: FW: FOIA request for Central Edge  
[550.zip](#)  
[1450.zip](#)

Rafael and Keith,

Some of the files are large, so I have to send multiple emails. Here are CB 550 and CB 1450.

## Tonya Blatcher

Administrative Specialist

U.S Environmental Protection Agency

Outreach and Information Division

Innovative Programs and Outreach Group

109 TW Alexander Dr.

Durham, NC 27711

(919) 541-1929

[blatcher.tonya@epa.gov](mailto:blatcher.tonya@epa.gov)

**From:** Aldridge, Amanda  
**Sent:** Thursday, May 05, 2016 4:08 PM  
**To:** Blatcher, Tonya <Blatcher.Tonya@epa.gov>; Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Cc:** Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>; Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Bartlett, Keith <Bartlett.Keith@epa.gov>  
**Subject:** FW: FW: FOIA request for Central Edge

Rafael – My admin, Tonya, is going to send you the non-CBI Central Boiler test reports that have been requested in the email below by David Lunde.

She is going to zip them to you and Keith. Let us know if this doesn't work and we will copy the CDs and mail them to you.

Thanks,

Amanda Aldridge  
US EPA Burnwise  
[aldridge.amanda@epa.gov](mailto:aldridge.amanda@epa.gov)

Phone: 919.541-5268

Join us on Facebook: <https://www.facebook.com/EPABurnWise>

[@epaburnwise](https://twitter.com/epaburnwise) on Twitter: <https://twitter.com/epaburnwise>

**From:** David Lunde [<mailto:lunde189@gmail.com>]  
**Sent:** Tuesday, March 01, 2016 1:27 PM  
**To:** Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>  
**Subject:** Re: FW: FOIL request for Central Edge

Hi Amanda, I would like to receive the information not labeled as CBI when the applications for the Central Boiler models were submitted.

I am looking to do a mathematical/engineering check on the Central Boiler Edge and Central Boiler E-Classic models.

Maker	Model Name	Model #
Central Boiler	E-Classic	1450
Central Boiler	E-Classic	3250 IR
Central Boiler	Classic Edge	350
Central Boiler	Classic Edge	550
Central Boiler	Classic Edge	750

Ideally, I want to see their test data for emissions, temperatures, flow rates, and efficiency to do an engineering review.

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@epaburnwise on Twitter: <https://twitter.com/epaburnwise>

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**Sent:** Wednesday, February 24, 2016 7:30 AM

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**Cc:** Johnson, Steffan <[johnson.steffan@epa.gov](mailto:johnson.steffan@epa.gov)>; Baumgart-Getz, Adam <[Baumgart-Getz.Adam@epa.gov](mailto:Baumgart-Getz.Adam@epa.gov)>; Aldridge, Amanda <[Aldridge.Amanda@epa.gov](mailto:Aldridge.Amanda@epa.gov)>; Cole, David <[Cole.David@epa.gov](mailto:Cole.David@epa.gov)>

**Subject:** RE: FOIL request for Central Edge

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**To:** Toney, Mike <[Toney.Mike@epa.gov](mailto:Toney.Mike@epa.gov)>

**Subject:** FOIL request for Central Edge

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<http://www.epa.gov/sites/production/files/2015-08/documents/hhcertifiedwood.pdf>

David Lunde

[david@garn.com](mailto:david@garn.com)

Office: [612.326.1102](tel:612.326.1102)

Mobile: [612.968.2936](tel:612.968.2936)

[www.garn.com](http://www.garn.com)

Doc ID Beg :

ED\_001138\_0000  
0059

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Sanchez, Rafael[Sanchez.Rafael@epa.gov]  
**From:** O'Toole, Megan  
**Sent:** Tue 5/3/2016 12:34:40 PM  
**Subject:** RE: Follow up - CB

Hi Rob,

Vermont is not willing to take delegation of the certification elements of the rule because our resources are limited. As I mentioned to you over the phone a few weeks ago, our compliance section is very small and we will barely have the time to conduct inspections on the parts of the rule for which we do take delegation. We also do not have the expertise in house to conduct inspections of certification labs or to enforce the test procedures themselves.

I hope that answers your question, please do not hesitate to reach out if you have any further questions or comments on our draft.

Also, please let me know how things progress with the FOIA request for CB's certification data on the 750. As I mentioned to Rafael, if the detailed testing data is released for the CE 750, this would impact CB's appeal in Vermont.

Thanks,

Megan

**From:** Lischinsky, Robert [mailto:Lischinsky.Robert@epa.gov]  
**Sent:** Monday, May 02, 2016 9:37 AM  
**To:** O'Toole, Megan <Megan.OTOole@vermont.gov>; Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Subject:** RE: Follow up - CB

Megan,

Thanks for sending the draft Rule. As you stated, it would allow Vermont to take delegation of certain elements of the NSPS in Vermont. Is the state looking in the future to take delegation of the full NSPS itself – the revised AAA and new QQQQ? If not, the reason(s)/concern(s)?

Thanks.

Rob

**From:** O'Toole, Megan [<mailto:Megan.OToole@vermont.gov>]  
**Sent:** Friday, April 29, 2016 8:16 AM  
**To:** Sanchez, Rafael <[Sanchez.Rafael@epa.gov](mailto:Sanchez.Rafael@epa.gov)>  
**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** RE: Follow up - CB

Thanks Rafael. Given that the litigation in Vermont is focused only on the CE 750, if EPA releases the full non-CBI test report then CB's legal challenge will likely be moot. It is likely, however, that they will challenge EPA's release of the 750 data anyway.

Please keep me posted on further developments and if the CE 750 info is released.

I have let our compliance folks know that you will be in Vermont next week, so they might be in touch with ideas for dealers to visit.

I also wanted to let you and Rob know that we are getting close to finalizing a draft of a rule that would allow us to take delegation of certain elements of the NSPS in Vermont. I have attached our latest working draft. Region 1 has already offered comments. We hope to start the formal rulemaking process in May.

Thanks again, and safe travels to the Green Mountain State,

Megan

**From:** Sanchez, Rafael [<mailto:Sanchez.Rafael@epa.gov>]  
**Sent:** Thursday, April 28, 2016 12:54 PM

**To:** O'Toole, Megan <Megan.OToole@vermont.gov>  
**Cc:** Lischinsky, Robert <Lischinsky.Robert@epa.gov>  
**Subject:** RE: Follow up - CB

Hi Megan

Thanks for the Voluntary Agreement information. Also, before I forget I will be doing inspections next week in Vermont (VC, HS). If you have retailers that you would like me to pay a visit please let me know.

Central Boiler EClassic 1450

Central Boiler EClassic 3250 IR

Central Boiler Classic Edge 350

Central Boiler Classic Edge 550

Central Boiler Classic Edge 750

The CB 750 is the only test report that we could release without prior notification to CB because they submitted the report after the 2015 NSPS.

Regarding the other units, because they were qualified under the Voluntary program, we need to treat them differently. Our reasoning is that those test reports were submitted prior to the promulgation of the 2015 NSPS, which is clear as to what is treated CBI and what not. Also, the 2015 NSPS requires manufacturers to affirm that they will be posting a nonCBI report on their websites.

Under the Voluntary program, there weren't such requirements. The Voluntary program agreement states "Partner should provide a complete test report consisting of all test documentation listed below. Design information is the only item in the list below that is generally considered confidential business information (CBI).

- o summary check list

- o raw data

- o laboratory technician notes

- o calculations sheets
- o design information (e.g., CAD drawings, perspective drawings, operational drawings showing air, water, and smoke flow paths)
- o test results
- o certificate of conformity from a certification body

The fact that the agreement says "...generally considered confidential business information (CBI)" makes me uncomfortable. That statement (i.e., generally) leaves the door open for interpretation.

To play safe, OGC suggested that we consult w/ the manufacturer prior to release the information.

**Rafael Sanchez, Ph.D.**

**Wood Heater Program Lead**

**Air Branch**

**Monitoring, Assistance, and Media Programs Division**

**Office of Compliance**

**U.S. Environmental Protection Agency (EPA)**

**Room 7149-D**

**1200 Pennsylvania Ave., NW**

**MS:2227A**

**Washington, DC 20460**

**202-564-7028**

202-564-0050 fax

Please make a note of the new inbox for wood heater certification requests:  
[WoodHeaterReports@epa.gov](mailto:WoodHeaterReports@epa.gov)

If you have a wood heater question, please visit the USEPA Wood Heater Compliance Monitoring Program web site at <http://www2.epa.gov/compliance/wood-heater-compliance-monitoring-program>. On that web page you will find information about the EPA wood heater compliance program including the List of EPA Certified Wood Heaters.

This message may contain sensitive and/or privileged information. If you believe you have received this e-mail in error, please notify me and delete the e-mail immediately.

**From:** O'Toole, Megan [<mailto:Megan.OToole@vermont.gov>]  
**Sent:** Thursday, April 28, 2016 12:16 PM  
**To:** Sanchez, Rafael <[Sanchez.Rafael@epa.gov](mailto:Sanchez.Rafael@epa.gov)>  
**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** Follow up - CB

Rafael,

Thanks for calling today re the CBI issues with CB. I was wondering if you could tell me again for what units the FOIA request was made? Were they all certified under the voluntary program? Or are some under the NSPS? If so, will the request be handled differently depending on when then units were certified (pre or post NSPS)?

Thanks again,

Megan

Doc ID Beg :

ED\_001138\_0000  
0068

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**Request Details**

**Status :** *Assignment Determination*    **Due Date :** 03/31/2016

35

Submitted      Evaluation      Assignment  
Processing

Tracking Number : EPA- HQ- <sup>Closed</sup> 2016-004368	03/03/2016	Submitted Date :
Requester : Mr. David Lunde	03/03/2016	Perfected Date :
Organization : N/A	03/10/2016	Last Assigned Date :
Requester Has Account : No		Fee Limit : \$100.00

Submission Details    Case File    Admin Cost    Assigned Tasks  
Comments (0)    Review

**Request Handling**

Requester Info Available to the Public : <input checked="" type="checkbox"/> Yes <input type="checkbox"/>	Request Perfected : Yes
Request Track : <input checked="" type="checkbox"/> Simple <input type="checkbox"/>	Perfected Date :
03/03/2016	Acknowledgement Sent Date:
Fee Category : <input checked="" type="checkbox"/> Commercial <input type="checkbox"/>	<input type="text"/>
Fee Waiver Requested: No	Unusual Circumstances ? : No
Fee Waiver Status: N/A	5 Day Notifications: <input type="checkbox"/>
Expedited Processing Requested : No	Litigation : <input checked="" type="checkbox"/> No <input type="checkbox"/>
Expedited Processing Status : N/A	

**Request Description**

Short Description :
---------------------

I would like to receive the data/information for the Central Boiler model applications submitted to the US EPA for approval into the Hydronic Heater List  
<https://www.epa.gov/sites/production/files/2015-08/documents/hhcertifiedwood.pdf>  
 The list was created to show devices that meet the 2015 New Source Performance Standards (NSPS) I am looking to a do a mathematical/engineering check on the Central Boiler Edge and Central Boiler E-Classic models. Maker Model Name Model # Central Boiler E-Classic 1450 Central Boiler E-Classic 3250 IR Central Boiler Classic Edge 350 Central Boiler Classic Edge 550 Central Boiler Classic Edge 750 Ideally, I want to see all the test data for engineering calculations, which includes all: temperatures, flow rates, emissions data, and efficiency data to do an engineering review. Please call me with any questions. I would prefer the information electronically (via e-mail). I know that all of this information is readily accessible because the EPA requires electronic submission of this information as part of the application to be an approved Hydronic Wood Heater.

Description Available to the Public :  Yes  No Has Description Been Modified?

### Attached Supporting Files

No supporting files have been added.

### Upload Supporting Files

If you are having problems, or do not see the "Select Files" button, *switch to the basic uploader.*

**SELECT FILES**

No attachments have been added.

Doc ID Beg :

ED\_001138\_0000  
0069

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
RESEARCH TRIANGLE PARK, NC 27711

APR 22 2016

OFFICE OF  
AIR QUALITY PLANNING  
AND STANDARDS

Mr. David Lunde  
965 County Rd C2 W  
Roseville, MN 55113

RE: Freedom of Information Act Request No. EPA-HQ-2016-004368

Dear Mr. Lunde:

This is in response to your Freedom of Information Act request of March 3, 2016, in which you requested information for the Central Boiler model applications submitted to the US EPA for approval into the Hydronic Heater List.

Pursuant to 40 C.F.R. § 2.104(d) an extension of time to respond to your request is necessary, due to the need for consultation among two or more components of the Agency having substantial subject-matter interest therein. The anticipated date of completion of your request is May 31, 2016.

If you would like to modify or narrow your request so that it may be processed sooner, please contact Adam Baumgart-Getz, who can be reached at [baumgart-getz.adam@epa.gov](mailto:baumgart-getz.adam@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Jennifer Noonan Edmonds".

Jennifer Noonan Edmonds  
Director  
Policy Analysis and Communications Staff

Internet Address (URL) • <http://www.epa.gov>

Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 25% Postconsumer)

ED\_001138\_0000069

Doc ID Beg :

ED\_001138\_0000  
0123

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Wilcox, Geoffrey[wilcox.geoffrey@epa.gov]  
**Cc:** Kaminer, Joan[Kaminer.Joan@epa.gov]; Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Klaus, Dan[Klaus.Dan@epa.gov]; Smith, Kristi[Smith.Kristi@epa.gov]  
**From:** Sanchez, Rafael  
**Sent:** Tue 11/8/2016 9:28:41 PM  
**Subject:** Request for feedback - CB not entitled letter 11 2 16 RS edits JGK 11816 RS.docx  
[CB not entitled letter 11 2 16 RS edits JGK 11816 RS.docx](#)

Mr. Wilcox,

Joan Kaminer of OGC suggested that we provide you with a draft letter entitled “not entitled to CBI protection” for your comments. As you can see from the draft letter, OECA has determined that certain records subject to an FOIA request are emissions data per EPA’s definition @ 40 CFR § 2.301(a)(2)(i). These records are:

- o Temperature
- o Flow rate
- o Emissions data
- o Efficiency

Under the 2015 Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces, manufacturers are can only claim as CBI the heater’s drawings/material specs. Everything else is considered nCBI, i.e., emissions data.

Historically, Central Boiler, the manufacturer affected by the FOIA request, has challenged the EPA regarding what constitutes emissions data and is opposed to the release of the above-referenced data to the FOIA requestor.

Please provide me comments by Thursday, November 17 and if need be, I can setup a call to discuss the issue or answer questions. Thank you.



Doc ID Beg :

ED\_001138\_0000  
0143

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** O'Toole, Megan[Megan.OTOole@vermont.gov]  
**Cc:** Lischinsky, Robert[Lischinsky.Robert@epa.gov]; Jordan, Scott[Jordan.Scott@epa.gov];  
Bartlett, Keith[Bartlett.Keith@epa.gov]  
**From:** Sanchez, Rafael  
**Sent:** Wed 5/11/2016 7:10:19 PM  
**Subject:** RE: Follow up - list of dealers

Hi Megan

The trip was very nice. Vermont is beautiful! I visited a few retailers and found a few uncertified appliances including coal burning stoves and hydronic heaters. I will keep you in the loop regarding our next steps.

Regarding CB FOIA, we just got the official request. We have not released any information for the CB750. CB is opposed to posting spreadsheets containing the bulk of the temperature and scale readings. According to a 3/24/16 email from CB to the EPA, "To date, the only certificate of compliance issued to Central Boiler by the Administrator was for the Central Boiler Edge 750 model. Central Boiler will be posting any non-CBI portions of the test report, including any "emissions data" (as that term is used in Section 114 (c) the Clean Air Act, 42 U.S.C. Section 7414 (c), for that model on the Central Boiler web site, that are not already posted on the web site."

Their statements can be interpreted as selective posting of data on their web site. However, they are on record agreeing w/ posting the full non-CBI report on their website.

I will continue working with OGC to determine the best path to handle Lunde's FOIA. Let me know if you need further discussions prior to your meeting.

**From:** O'Toole, Megan [mailto:Megan.OToole@vermont.gov]  
**Sent:** Wednesday, May 11, 2016 1:54 PM  
**To:** Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Cc:** Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Jordan, Scott <Jordan.Scott@epa.gov>  
**Subject:** RE: Follow up - list of dealers

Hi Rafael,

Hope you had a good trip and the inspections went well.

I was wondering if you have any updates on the FOIA request for Central Boiler Test reports. Have you released the information for the CE 750? I have a call with the Court on Monday, so having this information would be helpful.

Thanks,

Megan

**From:** Sanchez, Rafael [mailto:Sanchez.Rafael@epa.gov]  
**Sent:** Tuesday, May 03, 2016 8:15 PM  
**To:** O'Toole, Megan <Megan.OToole@vermont.gov>  
**Cc:** Lischinsky, Robert <Lischinsky.Robert@epa.gov>; Jordan, Scott <Jordan.Scott@epa.gov>  
**Subject:** RE: Follow up - list of dealers

Megan

Thanks for the retailer list. It came very handy. I already visited a few of them. Regarding your FOIA question, David Lunde is the requestor. As for your last question, I will need to consult w/ my colleagues back in the office and will get back to you.

Rafael Sanchez, Ph.D.

Wood Heater Program Lead

Air Branch

Monitoring, Assistance, and Media Programs Division

Office of Compliance

U.S. Environmental Protection Agency (EPA)

Room 7149-D

1200 Pennsylvania Ave., NW

MS:2227A

Washington, DC 20460

202-564-7028

202-564-0050 fax

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**From:** O'Toole, Megan [<mailto:Megan.OToole@vermont.gov>]

**Sent:** Friday, April 29, 2016 10:00 AM

**To:** Sanchez, Rafael <[Sanchez.Rafael@epa.gov](mailto:Sanchez.Rafael@epa.gov)>

**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>; Jordan, Scott <[Jordan.Scott@epa.gov](mailto:Jordan.Scott@epa.gov)>

**Subject:** RE: Follow up - list of dealers

Hi again Rafael,

Here is a list of wood heater dealers in Vermont. I spoke with John Wakefield, and we don't have any dealers that we are particularly concerned about at this time. We are still in the middle of our outreach efforts so we don't have any information that would warrant an inspection of one dealer over another.

Would you be able to tell me again who the FOIA requester is for the data on the CB units? It would be nice to know just in case we get a similar request in Vermont.

Also, I just remembered the letter that EPA sent to NESCAUM several months ago (attached) confirming that, even though appliances gain Step 1 certification under the NSPS due to prior certification under the voluntary program or NY's program, they still must comply with all other parts of the NSPS subpart applicable to the particular unit. Therefore, wouldn't it be true that units certified under the voluntary program must comply with the requirements in the NSPS relating to reporting of emissions data, the part of the rule that clearly states what is and is not to be treated as CBI, and the requirement that that data be posted on the manufacturer's website?

Thanks again,

Megan

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**Sent:** Thursday, April 28, 2016 12:54 PM  
**To:** O'Toole, Megan <[Megan.OTOole@vermont.gov](mailto:Megan.OTOole@vermont.gov)>  
**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** RE: Follow up - CB

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Central Boiler EClassic 1450

Central Boiler EClassic 3250 IR

Central Boiler Classic Edge 350

Central Boiler Classic Edge 550

Central Boiler Classic Edge 750

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- o test results
- o certificate of conformity from a certification body

The fact that the agreement says "...generally considered confidential business information (CBI)" makes me uncomfortable. That statement (i.e., generally) leaves the door open for interpretation.

To play safe, OGC suggested that we consult w/ the manufacturer prior to release the information.

**Rafael Sanchez, Ph.D.**

**Wood Heater Program Lead**

**Air Branch**

**Monitoring, Assistance, and Media Programs Division**

**Office of Compliance**

**U.S. Environmental Protection Agency (EPA)**

**Room 7149-D**

**1200 Pennsylvania Ave., NW**

**MS:2227A**

**Washington, DC 20460**

**202-564-7028**

**202-564-0050 fax**

**Please make a note of the new inbox for wood heater certification requests:**

**[WoodHeaterReports@epa.gov](mailto:WoodHeaterReports@epa.gov)**

**If you have a wood heater question, please visit the USEPA Wood Heater Compliance Monitoring Program web site at <http://www2.epa.gov/compliance/wood-heater-compliance-monitoring-program>. On that web page you will find information about the EPA wood heater compliance program including the List of EPA Certified Wood Heaters.**

This message may contain sensitive and/or privileged information. If you believe you have received this e-mail in error, please notify me and delete the e-mail immediately.

**From:** O'Toole, Megan [<mailto:Megan.OTOole@vermont.gov>]  
**Sent:** Thursday, April 28, 2016 12:16 PM  
**To:** Sanchez, Rafael <[Sanchez.Rafael@epa.gov](mailto:Sanchez.Rafael@epa.gov)>  
**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** Follow up - CB

Rafael,

Thanks for calling today re the CBI issues with CB. I was wondering if you could tell me again for what units the FOIA request was made? Were they all certified under the voluntary program? Or are some under the NSPS? If so, will the request be handled differently depending on when then units were certified (pre or post NSPS)?

Thanks again,

Megan

Doc ID Beg :

ED\_001138\_0000  
0147

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Battle, Jernell[Battle.Jernell@epa.gov]  
**From:** Sanchez, Rafael  
**Sent:** Tue 5/10/2016 4:51:52 PM  
**Subject:** FW: EPA-HQ-2016-004368  
[Cover Sheet.pdf](#)  
[Extension Letter.pdf](#)

Jernell

Has this FOIA been reassigned to OECA? If so, who has the controlled correspondence?  
Thanks.

**From:** Purifoy, Tiffany  
**Sent:** Thursday, April 28, 2016 10:05 AM  
**To:** Newman, Maya <Newman.Maya@epa.gov>  
**Cc:** Hamilton, Sabrina <Hamilton.Sabrina@epa.gov>; Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>; Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Subject:** EPA-HQ-2016-004368

Hi Maya,

As a heads-up, OAQPS is reassigning the above-referenced FOIA case to OECA for action. The point of contact in OECA is Rafael Sanchez. He and Adam Baumgart-Getz have been communicating about the case for a while, and they decided that the best solution would be to have the case reassigned to OECA. We requested an extension, which has already been granted. The new due date is 5/31/16. Let me know if you need anything further or have any other questions.

Thanks,

# Tiffany Purifoy

Government Information Specialist

Office of Air Quality Planning & Standards

Environmental Protection Agency

919-541-0878

**From:** Baumgart-Getz, Adam  
**Sent:** Thursday, April 28, 2016 9:16 AM  
**To:** Purifoy, Tiffany <[Purifoy.Tiffany@epa.gov](mailto:Purifoy.Tiffany@epa.gov)>  
**Subject:** FW: FOIA

Tiffany-

The individual in OECA that should be handling the Lunde FOIA still has not received the FOIA assignment yet.

Regards,

Adam

**From:** Sanchez, Rafael  
**Sent:** Wednesday, April 27, 2016 4:30 PM  
**To:** Baumgart-Getz, Adam <[Baumgart-Getz.Adam@epa.gov](mailto:Baumgart-Getz.Adam@epa.gov)>  
**Subject:** FOIA

Adam

As a follow up to last week's call regarding the Lunde FOIA, you said that you were to follow up to see if the FOIA has been reassigned to OECA. I haven't seen it. Please let me know.

Doc ID Beg :

ED\_001138\_0000  
0155

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Lischinsky, Robert[Lischinsky.Robert@epa.gov]  
**Cc:** Bartlett, Keith[Bartlett.Keith@epa.gov]  
**From:** Sanchez, Rafael  
**Sent:** Fri 4/29/2016 2:05:03 PM  
**Subject:** RE: Follow up - CB

Rob/Keith

I had consulted w/ Joan Kaminer (OGC) regarding the path we should take regarding the Central Boiler (CB) FOIA. As described below in my email to Megan, she suggests that EPA informally approach CB to indicate that EPA may be releasing certain data to the public as part of FOIA request. I anticipate that CB will be against the release of sensitive data (they are on record stating so). If that's the case, we will need to continue with the lengthy CBI process under 40 CFR Part 2.

**From:** Lischinsky, Robert  
**Sent:** Friday, April 29, 2016 9:51 AM  
**To:** Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Cc:** Bartlett, Keith <Bartlett.Keith@epa.gov>  
**Subject:** RE: Follow up - CB

Rafael,

I would recommend that you discuss with Keith and also relay these e-mails to OGC (Scott Jordan, Joan Kaminer) to ensure that they are in agreement with your statements below and up to speed on what is going on in Vermont.

**From:** O'Toole, Megan [<mailto:Megan.OToole@vermont.gov>]  
**Sent:** Friday, April 29, 2016 8:16 AM  
**To:** Sanchez, Rafael <[Sanchez.Rafael@epa.gov](mailto:Sanchez.Rafael@epa.gov)>  
**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** RE: Follow up - CB

Thanks Rafael. Given that the litigation in Vermont is focused only on the CE 750, if EPA releases the full non-CBI test report then CB's legal challenge will likely be moot. It is likely, however, that they will challenge EPA's release of the 750 data anyway.

Please keep me posted on further developments and if the CE 750 info is released.

I have let our compliance folks know that you will be in Vermont next week, so they might be in touch with ideas for dealers to visit.

I also wanted to let you and Rob know that we are getting close to finalizing a draft of a rule that would allow us to take delegation of certain elements of the NSPS in Vermont. I have attached our latest working draft. Region 1 has already offered comments. We hope to start the formal rulemaking process in May.

Thanks again, and safe travels to the Green Mountain State,

Megan

**From:** Sanchez, Rafael [<mailto:Sanchez.Rafael@epa.gov>]  
**Sent:** Thursday, April 28, 2016 12:54 PM  
**To:** O'Toole, Megan <[Megan.OToole@vermont.gov](mailto:Megan.OToole@vermont.gov)>  
**Cc:** Lischinsky, Robert <[Lischinsky.Robert@epa.gov](mailto:Lischinsky.Robert@epa.gov)>  
**Subject:** RE: Follow up - CB

Hi Megan

Thanks for the Voluntary Agreement information. Also, before I forget I will be doing inspections next week in Vermont (VC, HS). If you have retailers that you would like me to pay a visit please let me know.

Central Boiler EClassic 1450

Central Boiler EClassic 3250 IR

Central Boiler Classic Edge 350

Central Boiler Classic Edge 550

Central Boiler Classic Edge 750

The CB 750 is the only test report that we could release without prior notification to CB because they submitted the report after the 2015 NSPS.

Regarding the other units, because they were qualified under the Voluntary program, we need to treat them differently. Our reasoning is that those test reports were submitted prior to the promulgation of the 2015 NSPS, which is clear as to what is treated CBI and what not. Also, the 2015 NSPS requires manufacturers to affirm that they will be posting a nonCBI report on their websites.

Under the Voluntary program, there weren't such requirements. The Voluntary program agreement states "Partner should provide a complete test report consisting of all test documentation listed below. Design information is the only item in the list below that is generally considered confidential business information (CBI).

- o summary check list
- o raw data
- o laboratory technician notes
- o calculations sheets
- o design information (e.g., CAD drawings, perspective drawings, operational drawings showing air, water, and smoke flow paths)
- o test results
- o certificate of conformity from a certification body

The fact that the agreement says "...generally considered confidential business information (CBI)" makes me uncomfortable. That statement (i.e., generally) leaves the door open for interpretation.

To play safe, OGC suggested that we consult w/ the manufacturer prior to release the information.

**Rafael Sanchez, Ph.D.**

**Wood Heater Program Lead**

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Doc ID Beg :

ED\_001138\_0000  
0157

Responsiveness :

Responsive

Disposition :

Release in  
Full

Exemption Status :

Other Agency Interest :

QA :

Vaughn Explanation :

Comments :

**To:** Bartlett, Keith[Bartlett.Keith@epa.gov]  
**From:** Sanchez, Rafael  
**Sent:** Thur 4/28/2016 4:14:00 PM  
**Subject:** FW: EPA-HQ-2016-004368  
[Cover Sheet.pdf](#)  
[Extension Letter.pdf](#)

Keith

Here is the FOIA request. It was reassigned to OECA. As I mentioned this morning, OAQPS has all the test reports except for the CB 750. I anticipate that Central Boiler will fight this FOIA by not wanting to release temperatures and efficiency data. They are on record wanting to protect such data. As a matter of fact, CB is litigating Vermont because they want to protect temperature, efficiency data as CBI but Vermont doesn't.

This FOIA could become time and resource intensive.

**From:** Purifoy, Tiffany  
**Sent:** Thursday, April 28, 2016 10:05 AM  
**To:** Newman, Maya <Newman.Maya@epa.gov>  
**Cc:** Hamilton, Sabrina <Hamilton.Sabrina@epa.gov>; Baumgart-Getz, Adam <Baumgart-Getz.Adam@epa.gov>; Sanchez, Rafael <Sanchez.Rafael@epa.gov>  
**Subject:** EPA-HQ-2016-004368

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# Tiffany Purifoy

Government Information Specialist

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